

REMARKS

The newly submitted claims, claims 11-16, comprise claim 1 combined with claim 3, claim 1 combined with claim 4, claim 9 with claim 3, claim 9 with claim 4, claim 10 with claim 3, and claim 10 with claim 4. These claims should be allowable, per the recent Examiner action.

Claim 1 is amended as discussed with the Examiner on the telephone June 1. As pointed out to the Examiner, the claim now requires that more than one of the baseline process types be repeated according to the predetermined decision tree (rather than at least one). This mandates that the decision tree must be complex, as shown, for example, in Figure 4, rather than a simple decision as the Examiner stated is disclosed in the prior art Scanlan patent.

Therefore, claim 1 as amended would be removed from the disclosure and teaching of Scanlan, and claim 1 should be allowable.

The Examiner is respectfully requested to telephone the

undersigned attorney after reviewing this proposed amendment.

The deadline for applicant's response is July 20, 2004.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Thomas M. Freiburger', with a large, stylized flourish extending from the end.

Date: June 8, 2004

Thomas M. Freiburger
Reg. No. 27,068
P.O. Box 1026
Tiburon California 94920
Telephone: (415) 435-0240